

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
Applicant:	Paul L. Hickman)
)
Title:	EXERCISE SYSTEM AND METHOD)
	WITH VIRTUAL PERSONAL TRAINER)
	FOREWARNING)
)
Serial No.:	10/751,334) Art Unit
) 3764
Filed:	December 30, 2003)
)
Confirmation No.:	7600)
)
Examiner:	Glenn E. Richman)
)
Customer No.:	022913)

PETITION UNDER 37 C.F.R. §§ 1.78(a)(3) and 1.78(a)(6) TO ACCEPT AN
UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY
UNDER 35 U.S.C. §§ 119e and 120

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.78, Applicants hereby petition the Commissioner for Patents (the “Commissioner”) to accept an unintentionally delayed priority claim for the benefit of prior filed nonprovisional patent applications and a prior filed provisional patent application (the “Petition”). The priority claim is filed herewith in the accompanying Amendment H dated May 29, 2009.

The entire delay between the date the claim for priority was due under paragraphs 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim for priority was filed was unintentional.

In view of the foregoing, Applicants respectfully request that the applicable United States Patent and Trademark Office record(s) be updated accordingly. Applicants further respectfully request a filing receipt for this case, reflecting the appropriate domestic priority data.

Applicants have included herewith the fee under 37 C.F.R. § 1.17(t) for filing this Petition under 37 C.F.R. §§ 1.78(a)(3) and 1.78(a)(6). The Commissioner is hereby authorized to charge any underpayment of the fee under 37 C.F.R. § 1.17(t) and any additional fees or credit any overpayment in regard to this matter to Deposit Account No. 23-3178.

Dated this 29th day of May, 2009.

Respectfully submitted,

/J. Dustin Howell/ Reg. #60701
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